

**MINUTES OF PUBLIC MEETING
FOR THE CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD
FOR THE SUPERIOR COURT**

A Public Meeting of the Corrections Officer Retirement Plan Local Board for the Superior Court was convened Tuesday, January 3, 2017 at 10:00 a.m., Conference Room 109, Arizona State Courts Building, 1501 West Washington Street, Phoenix, Arizona.

Board Members Present in Conference Room 109: Kevin Kluge, Chairman; Rob Lubitz

Board Members Present via Conference Call: Danna Quinn, Jason Hathcock

Board Members Absent: Mark Smalley

Also Present: Annette Corallo, Board Secretary (by conference call); Leticia Chavez, Recorder; Hannah Auckland, Board Attorney (by conference call); Disability Applicant #15-01, Ruth Marblestone (by conference call)

Call to Order:

Approval of the Minutes:

December 6, 2016 – Public Meeting Minutes

MOTION: A motion to approve the public meeting minutes of the December 6, 2016 meeting was made by Danna Quinn. Motion was seconded and passed unanimously; minutes stand approved. **CORP 2017-01**

Consideration of Disability Application #15-01 – Annual Review:

The Board approved Application #15-01, Ruth K. Marblestone, for Ordinary Disability benefits on December 7, 2015. Ms. Marblestone was advised via certified mail that the Board would conduct an annual review at this meeting.

The applicant was asked to provide all medical treatment records since December 1, 2015, to assist the Board in determining whether an independent medical reevaluation of the applicant's condition is necessary.

Medical records in response to the Board's request were received on December 12, 2016.

The Board Secretary advised that this was the Board's first review of this case. The Board established on December 7, 2015, that the disabled member's condition should be reevaluated in one year. The applicant's earliest normal retirement date would have been June 1, 2032, when she would attain 62 years of age and 10+ years of service.

The Board Secretary also advised that the applicant signed the confidentiality waiver to allow discussion of medical information in open session

To clarify, the Chair stated this disability application was for Ordinary Disability and that the threshold was that a member must not be able to perform a reasonable range of duties within their department. The Chair also asked if the application was approved based on a physical condition. The Board Secretary advised that it was on the basis of the physical disability as opposed to the mental which the board previously denied, because the psychiatric IME doctor indicated her mental condition would not prevent her from obtaining any employment.

The Chair advised that Ms. Marblestone was in attendance via conference call.

In reviewing the medical evidence, Board Member Rob Lubitz noted that most of the medical documentation submitted dealt with Ms. Marblestone's psychological condition of PTSD. Mr. Lubitz asked Ms. Marblestone to update the Board as to her current physical status. Ms. Marblestone explained that she continues to have neck and back pain as well as migraines that have been increasing in intensity, for which she takes prescription medication.

Ms. Marblestone advised that she at one point had a part-time job that at 20 hours per week was very taxing for her. Ms. Marblestone also stated that she currently has a different part-time job with Ochoa Elementary School, and at 17 hours per week that job is also very taxing. She stated that she needs to recover at the end of each day. Board Member Rob Lubitz asked Ms. Marblestone if her recovery after work was related to her physical condition. Ms. Marblestone stated that it was, that she has pain in her neck and back, and is unable to stand for extended periods of time.

Board Member Jason Hathcock asked about the review of this case in relation to the new guidelines the Board adopted for disability cases. The Board Secretary advised that the guidelines use a question for the IME doctor as to the doctor's assessment of the applicant's potential for improvement. Those guidelines were not in place at the time of Ms. Marblestone's IME. Board Member Rob Lubitz referred to the Board's December 7, 2015 minutes. The Board's discussion at that meeting was that the IME doctor said that in his opinion Ms. Marblestone was physically disabled for at least one year.

The Chair stated that if the Board does require Ms. Marblestone to under an IME reevaluation, the Board would then send the IME doctor the newly adopted guidelines for review so that the doctor will be able to give the Board an opinion on the likelihood of recovery.

MOTION: A motion to continue the disability benefit for Applicant #15-01, Ruth K. Marblestone, and review the case in one year, was made by Rob Lubitz. Motion was second and passed unanimously. CORP 2017-02

Consideration of Disability Application #09-01 – Annual Review:

The Board approved Application #09-01, Rosella Roberts, for Ordinary Disability benefits on September 2, 2009. Ms. Roberts was advised via certified mail that the Board would conduct an annual review at this meeting.

The applicant was asked to provide all medical treatment records since December 1, 2015, to assist the Board in determining whether an independent medical reevaluation of the applicant's condition would be necessary.

Medical records were not received in response to the Board's request by the specified date, so the Board Secretary contacted Ms. Roberts by phone. Ms. Roberts indicated she had asked her doctor to provide the records but would follow up with the office again to request that they send her records. She agreed to advise the Board Secretary as to when the records should be expected, but as of December 22, 2016, Ms. Roberts had not provided any updated information.

The Board Secretary sent a second written request for the records on December 22, 2016.

The Chair asked the Board Attorney how long the Board could request medical records before the applicant's pension could be suspended. The Board Attorney clarified that the request must be for the applicant to undergo a medical evaluation and that the applicant must then refuse to undergo that evaluation before the Board could move to suspend the pension. If the refusal continues for one year, the Board could then revoke the disabled member's right to the pension. She noted that at this point the Board is only requesting medical records and stated that it would be up to the Board to decide how many requests for records they would like to make before requiring the applicant to undergo a reevaluation.

The Chair stated that the Board will continue to request medical records. However, if none are received by the Board's February 7, 2017, meeting the Board could then consider a request for a medical reevaluation.

The Board Secretary also added that this member will reach normal retirement age in 2018.

Review of Notice of Retiree Return to Work – Richard Bock:

The Board received a Notice of Retiree Return to Work from Maricopa County for Richard Bock. The form indicates that Mr. Bock retired from the Department of Corrections under CORP effective January 1, 2014, and returned to work for the Maricopa County Superior Court on July 20, 2015, as a Juvenile Detention Officer.

The Board Secretary was alerted to Mr. Bock's hiring in a CORP position by Bonnie Brown, Retired Members Manager for PSPRS, via an email dated December 12, 2016.

MOTION: A motion that the Board received a Notice of Retiree Return to Work for Richard Bock and finds that (1) the Notice of Retiree Return to Work dated December 20, 2016, should be forwarded to the Local Board for the Department of Corrections; (2) Maricopa County is responsible for paying the CORP alternate contribution rate for the position of Juvenile Detention Officer currently held by Mr. Bock; and (3) Maricopa County should proceed as quickly as possible to correct its error in enrolling Mr. Bock in CORP and the related contributions, and ensure that he is enrolled in the proper state retirement plan was made by Jason Hathcock. Motion was second and passed unanimously. CORP 2017-03

Approval of Normal Retirement Benefits:

The Local Board may consider and vote on the approval of Normal Retirement benefits for the following applications or defer decision to a later date:

Robert O. Asay
Heather L. Boyer

MOTION: A motion to approve the payment of Normal Retirement benefits to the following applicants in about the following amounts, effective January 1, 2017, was made by Danna Quinn. Motion was seconded and passed unanimously. **CORP 2017-04**

Robert O. Asay: \$2,233.18
Heather L. Boyer: \$2,358.24

Approval of 2017 CORP Election Process:

At its meeting on December 6, 2016, the Board approved a motion to approve the election plan for the Board vacancy that will occur when member Mark Smalley's term ends on June 30, 2017, and to continue the paper election process with the purchase of a permit to pay only for items returned.

The Chair stated that if staff was unable to obtain a permit the Board could look into the possibility of providing pre-paid postage on every envelope. The Board Secretary agreed to obtain more information and provide the Board with an update at its January 3, 2017 meeting.

The Board Secretary reports that the annual permit fee for Business Reply Mail is \$180, with each piece returned incurring a cost of \$1.14. Even if the number of ballots returned were to double from the 2015 returns, the cost of the election would be half the cost of adding return postage to every ballot mailed. Unless the Board objects, the Board Secretary will proceed with obtaining a permit and envelopes pre-printed with the permit. CORP members will be told that no postage is needed to return their ballots.

The Board had no objections.

Status Update: Membership Audit:

Staff has conducted an audit of the Board's membership records against an active membership list provided by PSPRS for the past three years. At the November 8, 2016 meeting the Board approved a motion to request the list from PSPRS to conduct the audit again this year. After several calls and emails to PSPRS requesting the active membership list, PSPRS provided the list on December 20, 2016. Staff has begun the audit and will report the results to the Board at its meeting on February 7, 2017.

Acknowledgement of CORP Physical Exam Final Letters:

The Chair noted, for the record, that physical examination reports for Erin O. Ballos, Carol A. Dunn-Benbrooks, Francisco Munro, Alejandro Noriega-Carrizosa and Latasha Riley were not received within 60 days of receipt of their membership applications and that final letters requesting an examination were sent to these members via certified mail on December 19, 2016.

Approval of Membership:

The Local Board may consider and vote on the approval of the following requests for membership or defer decision to a later date:

Apolinar, Danielle	Pima	11/21/2016
Ballos, Erin	Yuma	9/26/2016
Blair, Matthew	Yavapai	11/14/2016
Burnett, Travis	Navajo	10/30/2016
Cota, Jesus	Santa Cruz	10/31/2016
Duarte, Jorge	Pima	11/7/2016
Dunn-Benbrooks, Carol	Yavapai	8/14/2016
Fazz, Evan	Yavapai	11/14/2016
Gerst, Stephanie	Coconino	11/21/2016
Housel, Randy	Navajo	7/10/2016
Land, Maria	Maricopa	9/30/2016
LeSueur, Ashton	Navajo	10/31/2016
Lopez, Israel	Pima	10/2/2016
Montgomery, Ryan	Navajo	11/1/2016
Munro, Francisco	Yavapai	8/14/2016
Noriega-Carrizoza, Alejandro	Coconino	9/26/2016
Riley, Latasha	Yavapai	8/29/2016
Rogers, Mary	Pima	11/28/2016
Ross, Ashley	Navajo	7/25/2016
Vega, Stephanie	Maricopa	12/19/2016
Westmoreland, Keith	Yuma	11/14/2016
Wise, Julie	Maricopa	11/7/2016

MOTION: A motion to approve the 22 applicants listed on the agenda for this meeting for membership in CORP pursuant to A.R.S. § 38-893.D and to note for the record that the physical examinations for Randy Housel, Maria Land, Ryan Montgomery and Keith Westmoreland identified a physical or mental condition or injury that existed or occurred before the member's date of membership in the plan was made by Rob Lubitz. Motion was seconded and passed unanimously. CORP 2017-05

Future Agenda Items:

No items were raised.

Call to the Public:

No members of the public addressed the Board.

The meeting was adjourned at 10:27 a.m.

Transcribed January 3, 2017